

REMARKS/ARGUMENTS

Claims 17, 20-24, 27-31, and 34-37, have been examined and rejected. It is noted with appreciation that claims 17, 20-24, 27-31, and 34-37 have been indicated as being directed toward allowable subject matter. The present response amends claims 17, 24, and 31 and adds new claims 38-46. Accordingly, claims 17, 20-24, 27-31, and 34-46 are now pending. Reconsideration and allowance of all pending claims are respectfully requested.

The Examiner is thanked for his courtesy in the telephone conference of May 24, 2004. It is believed that progress was made in reaching agreement on the outstanding issues in the case. The claims, as amended, reflect those discussions.

In reviewing the file it has been noted that the references submitted with the Information Disclosure Statement (IDS) of February 10, 2003 have not been made of record. A copy of this IDS was resubmitted on April 23, 2003 via facsimile. It is requested that the cited references be made of record.

Claims 17, 24, and 31 have been rejected under 35 U.S.C. 112, first paragraph, as not being enabled by the specification. These independent claims have been amended for clarification. Each independent claim pertains to the processes involved in one iteration of developing a shortest path tree. Support and enablement for the pending claims is found at e.g., the top of page 11 of the present application and the discussion with reference to Figs. 5-7. The rejection is overcome and its withdrawal is respectfully requested.

Claims 20-23, 27-30, and 34-37 have been rejected under 35 U.S.C. §112, second paragraph due to their dependence on rejected claims 17, 24, and 31. Since the rejection of the parent claims has been addressed, the rejection of claims 20-23, 27-30, and 34-37 is also overcome.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8694.

Respectfully submitted,


Dan H. Lang
Reg. No. 38,531

RITTER, LANG & KAPLAN LLP
12930 Saratoga Ave., Suite D1
Saratoga, CA 95070
Tel: 408-446-8690
Fax: 408-446-8691